

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

2008 NOV 18 AM 10:19  
Pn

CECIL HOWARD, a/k/a  
Alonzo Whitehead,

Plaintiff,

vs.

CIVIL ACTION NO.: CV608-025

DANE DASHER, Deputy Warden, and  
JOHNNY SMITH, Unit Manager,

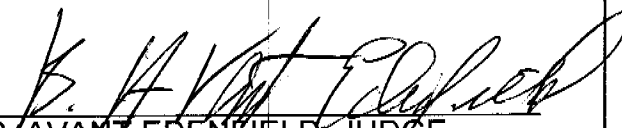
Defendants.

**ORDER**

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Defendants' Motion to Dismiss is **GRANTED**. Plaintiff's complaint is **dismissed** without prejudice. If Plaintiff desires to proceed with this action he must re-submit his complaint along with the full filing fee. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 18 day of Nov., 2008.

  
B. AVANT EDENFIELD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA